

AUG 29 2006

REMARKS**Claims 19-20 and 22-38 are Allowable**

The Office has rejected Claims 19-20 and 22-38, at paragraphs 5 and 6 of the Office Action under 35 U.S.C. § 102(b) as being anticipated by US Patent No. 5,956,493 to Hewitt, et al. ("Hewitt"). Applicants respectfully traverse the rejection.

None of the cited references, including Hewitt, disclose the specific combination of Claim 19. In contrast to Claim 19, Hewitt discloses a computer system for controlling the ownership of a bus, wherein a bus arbiter is configured to dynamically vary a level of arbitration based upon the length of time the peripheral device has been waiting to gain ownership of [the] PCI bus. (Hewitt, col. 4, ll. 11-15). Hewitt does not disclose or suggest a method that includes assigning first and second priority access values to functional devices based on the processing function of each functional device and dynamically adjusting the first and second priority access values in response to a user request, as recited in Claim 19. Rather, Hewitt discloses "a set of programmable registers...provided to allow software programming of the initial count value," instead of dynamic adjustment based on a user request (Hewitt, col. 2, ll. 38-40). Thus, Claim 19 is allowable.

Claims 20 and 22-26 depend from Claim 19. Thus, Hewitt fails to disclose or suggest at least one element of each of the dependent claims 20 and 22-28. As a result, Claims 20 and 22-26 are allowable. Claims 27 and 28 have been canceled.

Further, none of the cited references, including Hewitt, disclose the specific combination of Claim 29. As explained previously, Hewitt discloses a computer system for controlling the ownership of a bus, wherein a bus arbiter is configured to dynamically vary a level of arbitration based upon the length of time the peripheral device has been waiting to gain ownership of [the] PCI bus. (Hewitt, col. 4, ll. 11-15). Hewitt does not disclose or suggest a system wherein the control register is configured to dynamically adjust a first priority access value associated with a first request agent and a second priority access value associated with a second request agent in response to a user request, as recited in Claim 29. Rather, Hewitt discloses "a set of programmable registers...provided to allow software programming of the initial count value,"

instead of dynamic adjustment based on a user request (Hewitt, col. 2, ll. 38-40). Thus, Claim 29 is allowable.

Claims 30-38 depend from Claim 29. Thus, Hewitt fails to disclose or suggest at least one element of each of the dependent claims 30-38. As a result, Claims 30-38 are allowable.

#### **Claim 21 is Allowable**

The Office has rejected Claim 21, at paragraphs 7 and 8 of the Office Action under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 5,956,493 to Hewitt, et al. ("Hewitt") in view of "what was well known in the art at the time of applicant's invention." (Office Action, p. 11). Applicants respectfully traverse the rejection.

Claim 21 depends from Claim 19. As stated previously, Hewitt fails to disclose or suggest each and every element of Claim 19. Additionally, the state of the art at the time of Applicants' invention does not cure the deficiencies in Hewitt with respect to Claim 19. Hence, the combination of Hewitt and the state of the art asserted by the Office fails to disclose or suggest at least one element of Claim 21. As a result, Claim 21 is allowable.

AUG. 29. 2006 3:07PM

TOLER SCHAFFER

RECEIVED  
CENTRAL FAX CENTER

NO. 637 P. 13

AUG 29 2006

CONCLUSION

In view of the foregoing, Applicants respectfully submit that the present application is in condition for allowance and respectfully request that the Examiner reconsider the application and issue a Notice of Allowance for all claims now pending. If, for any reason, the Office is unable to allow the Application on the next Office Action, and believes a telephone interview would be helpful, the Examiner is respectfully requested to contact the undersigned attorney or agent.

The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

8-29-06  
Date

*Chad M. Herring*  
Chad M. Herring, Reg. No. 41,067  
Attorney for Applicant(s)  
TOLER SCHAFFER, L.L.P.  
5000 Plaza On The Lake, Suite 265  
Austin, Texas 78746  
(512) 327-5515 (phone)  
(512) 327-5575 (fax)